

1
2
3 BILL NO. G-76-04-27

4 GENERAL ORDINANCE NO. G- 13-76

5 AN ORDINANCE amending General Ordinance
6 No. G-97 by authorizing the vacation
7 of a certain street.

8 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY
9 OF FORT WAYNE, INDIANA:

10 SECTION 1. Petition for the vacation of a certain
11 street having been filed with the Fort Wayne City Plan
12 Commission on March 15, 1976 following a public hearing thereon,
13 all in accordance with Section 44, Chapter 174, of the Acts
14 of the General Assembly of the State of Indiana, as amended by
15 Section 3, Chapter 385, of the Acts of 1963 of the General
16 Assembly of the State of Indiana (Burns Ind. Stat., 1974
17 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth
18 in General Ordinance No. G-97 adopted by the Common Council
19 of the City of Fort Wayne on November 26, 1963, is amended
20 by deleting the following street, to-wit:

21 Colony Court from the South line of East
22 State Boulevard to the North property line
23 of real estate owned by Parkview Memorial
24 Hospital, in the City of Fort Wayne, County
25 of Allen, State of Indiana.

26 SECTION 2. After passage of this Ordinance, approval
27 by the Mayor and legal publication, a duly certified copy of
28 this Ordinance, of the recommendation of the Fort Wayne City
29 Plan Commission, and of the action of the Mayor, shall be
30 transmitted by the City Clerk to the Board of Public Works
31 of the City of Fort Wayne, Indiana.

32 SECTION 3. This Ordinance shall be in full force
33 and effect from and after its passage, approval by the Mayor
34 and legal publication thereof.

35 
Councilman

APPROVED AS TO FORM
AND LEGALITY.


CITY ATTORNEY

Read the first time in full and in motion by Burns, seconded by Hinga, and duly adopted: read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on the _____ day of _____, 197____, at _____ o'clock P.M., E.S.T.

Date: 4-13-76

Charles W. Whittemore
CITY CLERK

Read the third time in full and on motion by H. Schmidt, seconded by Hinga, and duly adopted, placed on its passage. Passed (LAST) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-HIT
TOTAL VOTES	<u>8</u>	<u>0</u>		<u>1</u>	
BURNS	<u>✓</u>				
HINGA	<u>✓</u>				
HUNTER	<u>✓</u>				
MOSES				<u>✓</u>	
NUCKOLS	<u>✓</u>				
SCHMIDT, D.	<u>✓</u>				
SCHMIDT, V.	<u>✓</u>				
STIER	<u>✓</u>				
TALARICO	<u>✓</u>				

DATE: 4-27-76

Charles W. Whittemore
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. 27-18-76 on the 27th day of April, 1976.

TEST:

(SEAL)

James S. Sitter
PRESIDENT OFFICER

Presented to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of April, 1976, at the hour of 11:00 o'clock A. M., E.S.T.

Charles W. Whittemore
CITY CLERK

Approved and signed by me this 28th day of April, 1976, at the hour of 4:30 o'clock P. M., E.S.T.

Robert E. Armstrong
MAYOR

Bill No. G-76-04-27

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending General Ordinance No. G-97 by authorizing the vacation of a certain street.

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance Do PASS.

John Nuckols - Chairman

Paul M. Burns - Vice-Chairman

Vivian G. Schmidt

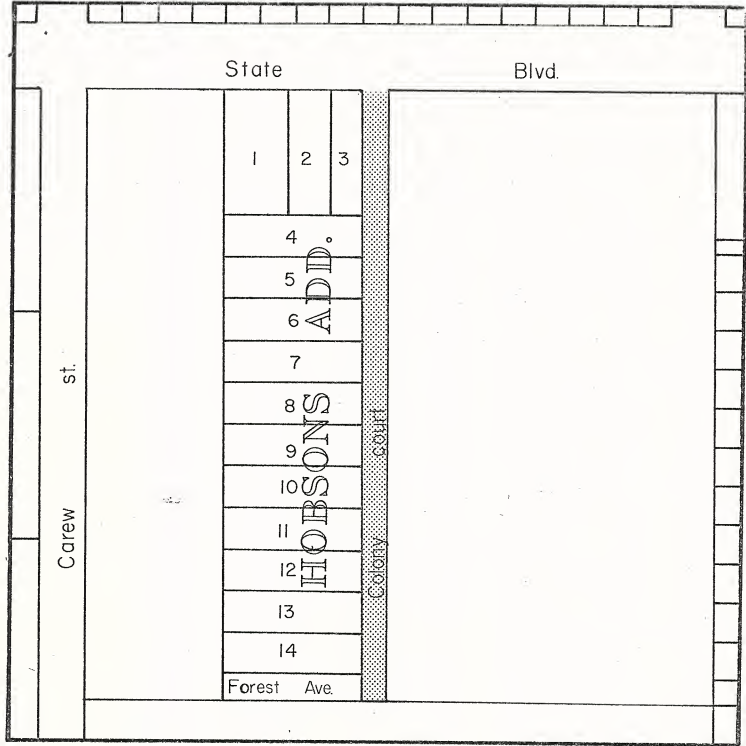
Winfield C. Moses, Jr.

Donald J. Schmidt

Vivian G. Schmidt

CD Schmidt

DATE 4-22-76 CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK



Handwritten initials



THE CITY OF FORT WAYNE

COMMUNITY DEVELOPMENT & PLANNING
division of long range planning and zoning

March 25, 1976

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution for the vacation of the following:

Colony Court from the South line of East State Blvd.,
to the North property line of real estate owned by
Parkview Memorial Hospital, in the City of Fort Wayne,
County of Allen, State of Indiana.

which was approved by the City Plan Commission at its regular meeting
held March 22, 1976.

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
25th day of March, 1976.

Handwritten signature of Joseph N. Adair

Joseph N. Adair
Secretary



RESOLUTION

WHEREAS, Parkview Memorial Hospital, Inc., an Indiana corporation, and Donald E. Lahrman, has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following street in Allen County, Indiana, to-wit:

Colony Court from the South line of East State Boulevard to the North property line of real estate owned by Parkview Memorial Hospital, in the City of Fort Wayne, County of Allen, State of Indiana.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947 of the General Assembly of the State of Indiana, Ind. Ann. Stat. § 53-744 (Burns 1964 Repl. Ed.); and,

WHEREAS, notice of such public hearing has been given by due and proper publication hereof; and,

WHEREAS, said public hearing was held on Monday
March 15, 1976 and at such hearing all parties interested in the matter of the vacation of said street were heard and there being no sufficient reason to why said vacation of said street should not be made;

NOW, THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public street herein before described conforms to the general policy and pattern of development set out in the master plan of the City of Fort Wayne, Indiana; and

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public street herein before described be, and the same is, hereby approved; and

BE IT FURTHER RESOLVED, that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of streets in Allen County, Indiana.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Joseph N. Adair, Secretary, of the Fort Wayne City Plan Commission, do hereby certify that the above and fore-

going is a full, true and correct copy of a Resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held on Monday, March 15, 1976, and as the same appears of record in the official records of said Plan Commission.

Joseph N. Adair
Joseph N. Adair, Secretary
Fort Wayne City Plan Commission

STATE OF INDIANA)
COUNTY OF ALLEN) SS: BEFORE THE CITY PLAN COMMISSION
OF THE CITY OF FORT WAYNE, INDIANA

PETITION TO VACATE STREET

The undersigned, Parkview Memorial Hospital, Inc., an Indiana corporation, and Donald E. Lahrman, petition for vacation of a street, and respectfully show the City Plan Commission of the City of Fort Wayne, Indiana as follows:

1. That they are the owners and fee simple of all real estate in Allen County, Indiana, surrounding the subject street, to-wit:

Colony Court, which is included in Hobson's Addition to the City of Fort Wayne, Indiana, according to the plat thereof recorded in Plat Record 11 at page 63 of the records in the Office of the Recorder of Allen County.

2. That Colony Court, as platted in Hobson's Addition to the City of Fort Wayne, begins at the South line of East State Boulevard, and extends South to the North property line of real estate owned by Parkview Memorial Hospital, all as shown on Exhibit A, attached hereto and made a part hereof.

3. That Colony Court dead ends at its Southern terminal and currently affords no access of any kind to any person, and is not used by any persons other than petitioners, and serves no public useful function whatsoever.

4. Petitioners further state that vacation of said Colony Court will not impede the growth of the area in which it is located or cut off public access to any church, school, or other public building or ground.

5. That no other real estate other than that owned by petitioners abut on said street proposed to be vacated.

This petition is filed in accordance with the Provisions of the Indiana Acts of 1947, (Chapter 174, Section 44, The Acts of 1963, Chapter 385, Section 3, Page 1002 Burns Indiana Revised Statutes 53-744) and Indiana Acts of 1969, (Chapter 239, Section 601-602 Burns Indiana Revised Statutes 48-916 and 48-917) and

I.C. 18-5-10-41 et seq.

Wherefore, petitioners respectfully request the approval of the City Plan Commission of the City of Fort Wayne, County of Allen, State of Indiana for the vacation of the street herein above described, and for all proper relief.

Respectfully submitted,

PARKVIEW MEMORIAL HOSPITAL,
INC., Petitioner

By: Mark Slen
Mark Slen, Administrator

By: Donald E. Lahrman
Donald E. Lahrman, Petitioner

STATE OF INDIANA)
COUNTY OF ALLEN) SS:

Before me, a Notary Public in and for Allen County, Indiana, personally appeared Parkview Memorial Hospital, Inc., an Indiana corporation, by Mark Slen, Administrator, and Donald E. Lahrman, Petitioner, and acknowledged the execution of the foregoing vacation of a street to be its voluntary act and deed.

Mellicent M. Bump
Notary Public

My Commission Expires:

August, 1976

TITLE OF ORDINANCE Street vacation ordinance *2-76-04-27*

DEPARTMENT REQUESTING ORDINANCE COMMUNITY DEVELOPMENT AND PLANNING

SYNOPSIS OF ORDINANCE Petitioners are requesting the vacation of
Colony Drive.

EFFECT OF PASSAGE If vacated, street will be utilized by abutting
property owners.

EFFECT OF NON-PASSAGE Street will remain open.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) none

ASSIGNED TO COMMITTEE (J.N.) *Regulation 111*



CITY OF FORT WAYNE

FORT WAYNE, INDIANA

CHARLES W. WESTERMAN
CITY CLERK

April 29, 1976

Miss Helen Libbing
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, Indiana 46802

Dear Miss Libbing:

Please give the attached full coverage on the dates of May 4 and May 11, 1976,
in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, Indiana

Bill No. G-76-04-26
General Ordinance No. G-12-76

Bill No. G-76-04-27
General Ordinance No. G-13-76

Bill No. G-76-04-29
General Ordinance No. G-14-76

Please send us (5) five copies of the Publisher's Affidavit from both newspapers.

Thank you.

A handwritten signature in cursive script that reads "Charles W. Westerman".

Charles W. Westerman
City Clerk

CWW/ne
Encl: 3

Common Council of Fort Wayne
(Governmental Unit)

To THE NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)
— number of equivalent lines

Head number of lines

1

Body number of lines

98

Tail number of lines

2

Total number of lines in notice

101

COMPUTATION OF CHARGES

101 lines, 1 columns wide equals 101 equivalent lines at \$288

\$288.00

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

1.50

TOTAL AMOUNT OF CLAIM

\$30.58

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5 1/2 point

Number of insertions 2

Size of quad upon which type is cast 5 1/2

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date May 11, 1976

Title CLERK

PUBLISHER'S AFFIDAVIT

Legal Notices	Legal Notices	Legal Notices	Legal Notices
<p>of a certain street having been filed with the Fort Wayne City Plan Commission on March 15, 1974 following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 1, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stat. 1976 Replacement, Sec. 53744) The Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following street, to-wit:</p> <p>Colony Court from the south line of East 41st Boulevard to the North property line of real estate owned by Parkview Memorial Hospital, in the City</p>	<p>of Fort Wayne, County of Allen, State of Indiana.</p> <p>SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City of Fort Wayne, Indiana.</p> <p>SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.</p> <p>PAUL M. BURNS, Councilman.</p> <p>Read the third time in full and on motion by V. Schmidt, seconded by H. Hing, and duly adopted, placed on its passage. PASSED by the following vote:</p> <p>Ayes: Eight Burris, Hing, Hunter, Nuckolls, D.</p>	<p>Schmidt, V. Schmidt, Steir, Talarico</p> <p>Nays: None</p> <p>Absent: One</p> <p>Mosses</p> <p>Date: 4-21-76 Charles W. Westerman</p> <p>City Clerk</p> <p>Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-13-76 on the 27th day of April, 1976.</p> <p>(SEAL)</p> <p>ATTEST:</p> <p>Charles W. Westerman James S. Siler City Clerk Presiding Officer</p> <p>Presented by me to the Mayor of the City of Fort Wayne, Indiana on the 28th day of April, 1976, at the hour of 11:00 o'clock A.M., E.S.T.</p> <p>CHARLES W. WESTERMAN, City Clerk</p>	<p>Approved and signed by me this 28th day of April, 1976, at the hour of 4:20 o'clock P.M., E.S.T.</p> <p>Robert E. Armstrong Mayor</p> <p>I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. G-13-76 passed by the Common Council on the 27th day of April, 1976, and that said Ordinance was duly signed and approved by the Mayor on the 28th day of April 1976 and now remains on file and on record in my office.</p> <p>WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 28th day of April, 1976.</p> <p>CHARLES W. WESTERMAN CITY CLERK</p>

Subscribed and sworn to before me this 11th day of May 1976

Notary Public

My commission expires September 28, 1979

Common Council of Fort Wayne
(Governmental Unit)

To THE NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head	number of lines	<u>1</u>
Body	number of lines	<u>98</u>
Tail	number of lines	<u>2</u>
Total number of lines in notice		<u>101</u>

COMPUTATION OF CHARGES

101 lines, 1 columns wide equals 101 equivalent lines at 288¢\$29.09

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

1.50

TOTAL AMOUNT OF CLAIM

\$30.59

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ pointNumber of insertions 2Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

*V. E. Gerken*Date May 11, 1976Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana
Allen County } ss:Personally appeared before me, a notary public in and for said county and state, the undersigned V. E. GERKEN who, being duly sworn, says that she is CLERK of theNEWS-SENTINELa DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time 2, the dates of publication being as follows:5/4-11/76*V. E. Gerken*Subscribed and sworn to before me this 11th day of May, 1976

Notary Public

My commission expires September 28, 1979

Legal Notices

Legal Notice

Notice is hereby given that on the 27th day of April, 1976, the Common Council of the City of Fort Wayne, Indiana, in a regular session did pass the following Bill No. Z-74-12-20, Z-94-76 Zoning Map Ordinance, to-wit:

BILL NO. Z-74-12-20
ZONING MAP ORDINANCE
NO. Z-94-76
An ordinance amending the City of Fort Wayne Zoning Map No. DD13 as it is amended by the Common Council of the City of Fort Wayne, Indiana: SECTION 1. That the area described as follows is hereby designated a M1 District under the terms of Chapter 34,

Municipal Code of Fort Wayne, Indiana, 194 General Ordinance amendments thereof of the City of Fort Wayne, Indiana, No. DD13 referred to by Section 9, Chapter as amended changed accordingly, TRACT: A tract of land in 1 ter of the Northeast 28, Township 21 Nor in Allen County, Indiana, described as to an iron pin on the Southeast Quarter of said Section being situated 16.5 Northwest corner Quarter of the No said Section 28; then

USE THE WANT ADS
Dial 423-3311, 743-0111



Common Council of Fort Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

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Body number of lines

Tail number of lines

Total number of lines in notice

101

COMPUTATION OF CHARGES

101 lines, 1 columns wide equals 101 equivalent lines at 28.84 cents per line

\$ 29.09

charge for notices containing rule or tabular work (50 per cent of above)

extra proofs of publication (50 cents for each proof in excess of two)

1.50

TOTAL AMOUNT OF CLAIM

\$ 30.59

G COST

single column 11 ems

Size of type 5 1/2 point

insertions 2

Size of quad upon which type is cast 5 1/2

on and penalties of Ch. 89, Acts 1967,

foregoing account is just and correct, that the amount claimed is legally due, after allowing all just of the same has been paid.

Arvilla De Wald

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County } as:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

5/4-11/76

Subscribed and sworn to before me this 11th day of May 1976

Notary Public

My commission expires September 28, 1979

LEGAL NOTICE

Notice is hereby given that on the 27th day of April, 1976, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. G-76-04-27 G-13-76 General Ordinance, to-wit:

BILL NO. G-76-04-27

GENERAL ORDINANCE NO. G-13-76 AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain street.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain street having been filed with the Fort Wayne City Plan Commission on March 15, 1976 following a public hearing thereon, all in accordance with Section 44, Chapter 176, of the Acts of the General Assembly of the State of Indiana, as amended by the State of Indiana, as amended by the State of Indiana, as amended by the State of Indiana (Burns Ind. Stat., 1976 Replacement, Sec. 53-744) the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1964, is amended by deleting the following street, to-wit:

Colony Court from the South line of East State Boulevard to the North property line of real estate owned by Parkview Memorial Hospital, in the City of Fort Wayne, County of Allen, State of Indiana.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

PAUL M. BURNS, Councilman
Read the third time in full and on motion by V. Schmidt, seconded by H. Hines, and duly adopted, placed on its passage, PASSED by the following vote:
Ayes: Eight
Burns, Hines, Hunter, Nuckolls, D. Schmidt, V. Schmidt, Steir, Talarico
Nays: None
Absent: One
Moses
Date: 4-27-76 Charles W. WestermanCity Clerk
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-13-76 on the 27th day of April, 1976.
ATTEST: (SEAL)Charles W. Westerman James S. Stier
City Clerk Presiding Officer
Presented by me to the Mayor of the City of Fort Wayne, Indiana on the 28th day of April, 1976, at the hour of 11:00 o'clock A.M., E.S.T.CHARLES W. WESTERMAN, City Clerk
Approved and signed by me this 28th day of April, 1976, at the hour of 4:30 o'clock P.M., E.S.T.Robert E. Armstrong Mayor
I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. G-13-76 passed by the Common Council on the 27th day of April, 1976, and that said Ordinance was duly signed and approved by the Mayor on the 28th day of April 1976 and now remains on file and on record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 28th day of April, 1976.

CHARLES W. WESTERMAN
CITY CLERK

Common Council of Fort Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

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Total number of lines in notice

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TOTAL AMOUNT OF CLAIM

\$ 30.59

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5 1/2 point

Number of insertions 2

Size of quad upon which type is cast 5 1/2

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date May 11, 1976

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana }
Allen County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time 8, the dates of publication being as follows:

5/4-11/76

Subscribed and sworn to before me this 11th day of May 1976

Notary Public

My commission expires September 28, 1979

COPY OF
SENT HERE


ROCKY INTERNATIONAL

A LEADER IN QUALITY ELECTRONIC EQUIPMENT

Open Weekdays 8:00-5:00
Sat. 9-12

Industrial Personal Office

26th day of April, 1974
CHARLES W. WESTERMAN
CITY CLERK

5-4-11